

**REGULATIONS
FOR
SUBDIVISION OF LAND**

CITY OF FREDERICK, MARYLAND

**ADOPTED BY THE
MAYOR AND BOARD OF ALDERMEN
FEBRUARY 15, 1965**

**AUTHORITY FOR SUBDIVISION CONTROL
FREDERICK, MARYLAND
EXTRACTS FROM
CITY CHARTER AND ENABLING ACT**

The Charter (1951). Art. XV. Planning and Zoning

Sec. 183. *Subdivision control and regulations.*

The planning and zoning commission shall have authority over and control of all subdivision of land within the city and one mile beyond. The commission may adopt regulations governing the subdivision of land providing for the harmonious development of the city; the coordination of all public ways within the subdivided land with other existing or planned streets or for conformance with the master plan or official map; adequate open spaces and spaces for traffic, utilities, recreation, light, and air; the avoidance of congestion of population. Such regulations may include requirements as to the extent to which and the manner in which public ways shall be graded and improved and water, sewer, and other mains, piping, connections, and other facilities shall be installed as a condition precedent to the approval of a subdivision. All regulations regarding the subdivision of land and any amendments thereto must be approved by the board of aldermen before taking effect.

Sec. 190. *Authority of city to use additional powers given by state.*

The City of Frederick is hereby authorized to use such additional planning and zoning powers, not in conflict with the provisions of this Charter, as may be authorized by Article 66B of the Annotated Code of Maryland (1939 edition) or any other state legislation with regard to municipal planning and zoning.

The Annotated Code of Maryland, 1957. Art. 66B

Title 3. Subdivision Control.¹

Sec. 24. *Subdivision jurisdiction.*

The territorial jurisdiction of any municipal planning commission over the subdivision of land shall include all land located in the municipality and all land lying within one mile of the corporate limits of the municipality and not located in any other municipality, except that, in the case of any such nonmunicipal land lying within one mile of more than one municipality having a planning commission under this subtitle, the jurisdiction of each such municipal planning commission shall terminate at a boundary line equidistant from the respective corporate limits of such municipalities. (An. Code, 1951, Sec. 24; 1939, Sec. 24; 1933, ch. 599, Sec. 15.)

¹ Portions applying to Frederick.

Sec. 25. *Scope of control of subdivision.*

Whenever a council shall have adopted a major street plan of the territory within its subdivision jurisdiction or part thereof, and shall have filed a certified copy of such plan in the office of the county clerk of the county in which such territory or part is located, then no plat of a subdivision of land within such territory or part shall be filed or recorded until it shall have been approved by the planning commission and such approval entered in writing on the plat by the chairman or secretary of the commission. (An. Code, 1951, Sec. 25; 1939, Sec. 25; 1933, ch. 599, Sec. 16.)

Sec. 26. *Subdivision regulations.*

Before exercising the powers referred to in Paragraph 25, the Planning Commission shall prepare regulations governing the subdivision of land within its jurisdiction. Such regulations may provide for the proper arrangement of streets, in relation to other existing planned streets and to the master plan, for adequate and convenient open spaces for traffics, utilities, access of fire-fighting apparatus, recreation, light and air, and for the avoidance of congestion of population, including minimum width and area of lots.

Such regulations may include provision as to the extent to which streets and other ways shall be graded and improved and to which water and sewer and other utility mains, piping, or other facilities shall be installed as a condition precedent to the approval of the plat. The regulations or practice of the commission may provide for a tentative approval of the plat previous to such installation; but any such tentative approval shall be revocable and shall not be entered on the plat. In lieu of the completion of such improvements and utilities prior to the final approval of the plat, the commission may accept a bond with surety to secure to the municipality the actual construction and installation of such improvements or utilities at a time and according to specifications fixed by or in accordance with the regulations of the commission. The municipality is hereby granted the power to enforce such bond by all appropriate legal and equitable remedies.

Before any regulations shall be submitted to council for adoption a public hearing shall be held thereon and all such regulations, or, if in the opinion of the commission it is best, a brief synopsis of such regulations, sufficient to inform a person of ordinary intelligence of the nature and contents of such regulations, together with the time and place of such public hearing, shall be published once or more, if the commission deems best, in a daily newspaper published and in general circulation in such city and county. When such regulations are adopted by the council, a copy thereof shall be certified by the commission to the county clerk of the county in which the municipality and territory are located, for record. (An. Code, 1951, Sec. 26; 1939, Sec. 26; 1933, ch. 599, Sec. 17.)

Sec. 27. *Approval of plat.*

The planning and zoning commission shall approve or disapprove a final plat, if all subdivision regulations have been complied with, within thirty (30) days after the submission thereof to it; otherwise such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the commission on demand. Provided, however, that the applicant for the commission's approval may waive this requirement and consent to an extension of such period. The ground of disapproval of any plat shall be stated upon the records of the commission. Every plat approved by the commission shall by virtue of such approval, be deemed to be an amendment of or an addition to or a detail of the municipal plan and a part thereof. Approval of a plat shall not be deemed to constitute or effect an acceptance by the public of any street or other open space shown upon the plat. The planning commission may, from time to time recommend to council amendments of the zoning ordinance or map or additions thereto to conform to the commission's recommendations for the zoning regulation of the territory comprised within approved subdivisions. The commission shall have the power to agree with applicant upon use, height, area or bulk requirements or restrictions governing buildings and premises within the subdivision, provided such requirements or restrictions do not authorize the violation of the then effective zoning ordinance of the municipality. Such requirement or restrictions shall be stated upon the plat prior to the approval and recording thereof and shall have the same force of law and be enforceable in the same manner and with the same sanctions and penalties and subject to the same power of amendment or repeal as though set out as a part of the zoning ordinance or map of the municipality. (1933, ch. 599; 1961, ch. 272).

Sec. 28. *Penalties for transferring lots in unapproved subdivisions.*

Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells or agrees to sell or negotiate to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by the planning and zoning commission and recorded or filed in the office of the appropriate county clerk, shall forfeit and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The municipal corporation may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the said penalty by civil action in any court of competent jurisdiction. (1933, ch. 599).

Sec. 29. *County clerk's duties.*

A county clerk who files or records a plat of a subdivision without the approval of the planning commission as required by law shall be

deemed guilty of a misdemeanor and shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). (1933, ch. 599).

Sec. 30 *Status of existing platting statutes.*

From and after the time when a planning commission shall have control over subdivisions as provided in Paragraph 24 of this subtitle, the jurisdiction of the planning commission over plats shall be exclusive within the territory under its jurisdiction, and all statutory control over plats or subdivisions of land granted by other statutes shall, in so far as in harmony with the provisions of this subtitle be deemed transferred to the planning commission of such municipality. (1933, ch. 599).

SUBDIVISION REGULATIONS

Applying to the

CITY OF FREDERICK, MARYLAND

~~And One Mile Beyond~~

Sec. 1. *Definitions of terms used in these regulations.*

(a) The term "Commission" means the Frederick City Planning Commission.

(b) The term "subdivision" means the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of conveyance of ownership or of building development; provided, however, that where land is divided into parts no one of which is less than five (5) acres in area or 400 feet in frontage, such division shall not be subject to these regulations. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. Revised 12/1/77

(c) The term "Master Plan" means a plan for the physical development of the City of Frederick and all land outside the City within one mile of the corporate limits, or any amendment or extension of the plan or addition to the plan adopted by the Commission pursuant to the authority vested in it by the Act setting up the Commission.

(d) The term "Land Planner" means a person trained in the art of subdivision design, in a school of planning, landscape architecture, or similar training, and qualified by experience and demonstrated ability to apply the guides and standards in these Regulations in an intelligent and creditable manner.

Sec. 2. *Procedure for the preparation and filing of plats.*

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(a) Any owner or proprietor of land who subdivides the same shall cause a plat of such subdivision to be made, and shall submit such plat to the Planning Commission for its approval. Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells or agrees to sell or negotiates to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved by the Planning Commission and recorded or filed in the office of the Clerk of the Circuit Court, shall be subject to the penalties provided by law; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies provided by law. No building or other permit shall be issued for any subdivision or part thereof until all the requirement of these Regulations and of law shall have been complied with.

(b) The subdivider shall prepare a Preliminary Subdivision Plan, and wherever required by the Commission, Street Profiles; and shall present three prints of each to the Commission for approval. Such prints shall be filed at least 15 days ahead of the meeting at which they are to be considered. The Preliminary Plan shall be for the purpose of showing at least a tentative plan of development for the entire tract of land contemplated for development, even though the first unit of development may comprise only a part thereof. It may be in pencil form and should not be fully engineered or staked out, although based on a reliable boundary survey or record plat prepared by a registered land surveyor.

NOTE: *It is suggested that the subdivider or his engineer call at the office of the City Engineer in order to obtain information as to subdivision requirements and Master Plan recommendations for the area under consideration, and information as to sewer and water requirements.*

(c) The Commission will approve or disapprove the Preliminary Subdivision Plan and Street Profiles or approve them with modifications noting thereon any changes that will be required. One copy will be returned to the subdivider and the other two copies will be retained for the files of the Commission.

(d) The Commission, in studying the Preliminary Subdivision Plan, will take into consideration the requirements of the community and the best use of the land being subdivided, as denoted by the official Land Use Plan. Particular attention will be given to width, arrangement and location of streets, surface drainage, lot sizes and arrangement, as well as any Master Plan requirements such as parks, school sites, boulevards and main highways. Adequate street connections will be required to insure free access to adjoining subdivisions and lands.

(e) The subdivider, following tentative approval of the Preliminary Subdivision Plan and Street Profiles, shall file with the Commission original drawings of the Final Subdivision Plat and Street Profiles. These will be checked by the Commission as to accuracy and required information. The required number of reproductions thereof for record and filing will then be made by the Commission at the expense of the subdivider, from the Final Subdivision Plat and Street profile drawings. The Final Subdivision Plat need not include all the property covered by the Preliminary Plan but may comprise only a portion thereof, constituting a feasible unit for development. Other Final Plats constituting additional units may be submitted later, provided the preliminary plan is still valid or its approval has been extended.

(f) In the case of new subdivisions the Street Profile plans may be required before the approval is given to the Final Subdivision Plat.

(g) The Final Subdivision Plat and Street Profiles will be approved by the Commission if found by it to be in conformity with the requirements of law and these Regulations. Approval of the Final Subdivision Plat and Street Profiles shall be by resolution of the Commission and signatures of the duly authorized officers inscribed thereon. No Final Subdivision Plat shall be approved, however, until the necessary public improvements required by the City or other authority have been installed and accepted by the City or other authority. [However, in lieu of such prior installation the Commission may approve the Final Plat providing the Mayor and Board of Aldermen are in receipt of an agreement acceptable to them that the Subdivider will post sufficient surety in the form of a suitable bond, certified check, money in escrow, or other security acceptable to the Board, in the amounts to cover the construction costs of such improvements, within said subdivision, at the time the contracts are let, and further, that the Mayor and Board of Aldermen are in receipt of such guarantee that the actual construction and installation will be made within such time limit and in accordance with such other requirements as may be specified in each case by the Board of Aldermen.] However, no Building Permits for the Subdivision shall be issued until satisfactory surety is accepted by the Mayor and Board of Aldermen. In subdivisions outside of the Frederick City limits, the Commission may approve the Final Plat in lieu of such prior installation, providing the restrictions and covenants proposed for the land within the subdivision include a statement that the City of Frederick is not required to provide improvements in the subdivisions such as rough street grading, water, sewer, storm drains, street paving, curb and gutter, street lights, or street signs.

(h) In the case of every subdivision located outside the corporate limits, and of any other subdivision that is not to be served by City water and sewer facilities, the approval of the State Department of Health or its Approving Authority shall be obtained as required elsewhere herein, and such approval shall be endorsed on both the Preliminary Plan and the Final Plat by the signature of the Approving Authority in a space to be provided therefor, in accordance with Regulations of the State Department of Health.

Sec. 3. General requirements for the subdivision of land.

(a) The subdivider shall observe the following general requirements and principles of land subdivision:

- (1) The plat shall conform to the Master Plan.
- (2) All streets which are designated as part of the main highway system on the Master Plan shall be co-terminous with adjoining links in said system and at the same or greater widths.
- (3) In general, main highways unless otherwise designated on the Major Street Plan, shall have a minimum width of 100 feet, secondary highways a minimum width of 80 feet, and parkways such width as may be designated by the Commission. The width of minor streets shall be not less than 50 feet for local access streets in single-family developments, and 60 feet for neighborhood feeder or distributor streets and for access streets in business or industrial areas. Building restriction lines shall comply at least with the applicable zoning requirements, but may be greater.
- (4) As far as practicable, all proposed streets shall be continuous and in alignment with existing streets. Courts or cul-de-sacs may be permitted where deemed appropriate or expeditious by the Commission, where not exceeding 600 feet in length and where provided with a turn-around at the end having a radius of at least 50 feet. A street ending temporarily in a dead end shall be provided with a temporary turn-around. Streets shall intersect one another at as nearly right angles as feasible. Minor residential streets shall be arranged so as to discourage through traffic. Street names shall be subject to approval by the Commission.
- (5) Each block shall be planned to provide two rows of lots, except that a single row of lots may be platted to rear upon a highway but have no access thereto. Block lengths shall be appropriate to the type and density of development, avoiding unnecessary cross-streets but not exceeding 1800 feet. Short blocks and frequent street intersections along a major thoroughfare shall be avoided.
- (6) Cross walks, not less than 10 feet wide, may be required in blocks over 750 feet long, where needed for the convenience of pedestrians.
- (7) Street corners at intersections or elsewhere shall be rounded off at the property line with a radius of not less than 25 feet, and the curbs shall be concentric with the property line. Where a street changes direction, a curve shall be used having a minimum radius at the center line as follows: (a) for minor streets and service drives, 100 feet; (b) for collector streets, 300 feet; (c) for major streets, 400 feet. Between reverse curves there shall be a tangent at least 100 feet long.
- (8) In general, side lot lines shall be at right angles or radial to street lines. Every lot shall front on a public street.
- (9) Reversed frontages of lots at street intersections shall be avoided where possible. Lots extending through the block shall be avoided.
- (10) Residence lots shall comply with at least the size and area requirements of the zoning district in which they may be located. Lot depths normally shall range from about $1\frac{1}{2}$ to $2\frac{1}{2}$ times the basic

width, with extra depths and extra deep building lines to be provided for lots fronting on highways unless served by separate service roads.

(11) Corner lots shall have extra width to provide for at least a 15-foot side yard along the street side, and in the case of a reversed-frontage lot situation, where the lots to the rear of the corner lot have their frontage on the side street, then the corner lot shall meet the front yard requirements on both streets.

(12) Grades of all streets shall be the reasonable minimum, but shall be not less than 0.5 per cent.

(13) Alleys with a minimum width of 20 feet shall be provided at the rear of all lots designed for Business or Industrial use, if no other permanent means of vehicular access to the rear of such lots or parcels is provided, such as in a unified shopping center. Where an alley turns abruptly or intersects another alley, the corner shall be cut off by a chord of at least 10 feet back from the corner in each direction. Residential areas shall have utility easements, at least 10 feet wide, instead of alleys.

(14) No land shall be subdivided for residential use if it is deemed by the Commission to be physically unsuitable for such use, because of drainage, vulnerability to flooding, topography, or other reason.

(15) In case a parcel is subdivided into larger tracts than for normal building lots, such parcels shall be divided so as to allow for the opening of major streets and the ultimate extension of adjacent minor streets.

(16) When requested by the Commission no subdivision plan shall receive final approval until there has been filed with the Commission complete street profile plans conforming with the requirements of the Commission.

(17) Monuments of an approved type shall be set as required and as shown on the final plat.

(18) Provisions for public recreation shall be made in each subdivision subject to approval by the Commission as to location, size, suitability, and usefulness, and such locations shall conform as nearly as practicable to the requirements and standards of the Master Plan. All individual sites approved by the Commission shall be not less than two (2) acres.

(b) Any of the foregoing requirements may be varied by the Planning Commission in the case of unusual conditions that make it impracticable or undesirable to insist upon strict adherence, or in the case of a subdivision large enough to constitute a more-or-less self-contained neighborhood to be developed in accordance with the Master Plan, which provides for all essential community requirements and is safeguarded by appropriate restrictions; provided, in either case, that no variance may be granted which would be inconsistent with good subdivision practice, or that would conflict with any provision of the Master Plan or with the general purpose and intent of these regulations.

Section 4. *The preliminary subdivision plan.*

(a) The subdivider shall present to the Commission a tentative plan prepared by a competent land planner or registered land surveyor. Three copies of the Preliminary Subdivision Plan shall be filed with the Commission at a scale not smaller than one inch equals 100 feet, showing the following information:

- (1) Subdivision name.
- (2) Name and address of record owner, subdivider and planner or surveyor.
- (3) Location, names and present width of adjacent streets and alleys.
- (4) Location and names of adjacent subdivisions and names of owners of adjacent acreage.
- (5) Width and location of all streets and other public ways.
- (6) Width and location of all building lines and easements.
- (7) Lot lines with approximate dimensions.
- (8) Method of sewage disposal proposed.
- (9) Proposed uses of property.
- (10) Public areas proposed, if any.
- (11) Topographic map at suitable scale when required by Commission.
- (12) Date, north point and scale.
- (13) Deed description or survey of plat boundary.
- (14) Certification of title of the land within the proposed subdivision, setting forth all legal or equitable interests therein.
- (15) "A small key map showing the subdivision's location in or relative to the city."

(b) After filing with the Commission, the Preliminary Subdivision Plan shall be approved or disapproved by the Commission, or approved by the Commission with modifications. Such approval or disapproval shall be indicated on the copies thereof, and the modifications, if any, shall also be indicated on the copies of the Preliminary Subdivision Plan or annexed thereto. One copy of the Preliminary Subdivision Plan shall be returned to the subdivider and one copy retained for the files of the Commission and one filed by the Commission with the City Engineer. If the Preliminary Subdivision Plan is approved or approved with modifications, the subdivider shall proceed promptly to prepare the Final Subdivision Plat. Unless a Final Subdivision Plat prepared in accordance with the approved Preliminary Subdivision Plan, including the modifications thereof, if any, made by the Commission, is filed with the Commission within 12 months after the approval of the Preliminary Subdivision Plan, the Commission's approval thereof shall be deemed cancelled.

(c) The Commission shall, prior to acting upon the preliminary subdivision plan for any subdivision, hold not less than one public

hearing thereon, after having given notice by publication in some newspaper of general circulation published in Frederick City, once a week for two successive weeks, of the time, place and purpose of said meeting. All interested parties shall be entitled to appear at such hearing. All expenses or costs incurred in giving notice to the public of such hearing are to be borne by the subdivider.

(d) At the time of filing a Preliminary Subdivision Plat for consideration by the Commission, the subdivider shall pay a fee to cover, in part, the cost of examining and checking such plat, which fee shall be in addition to the advertising costs. The amount of fee shall be two (2) dollars per lot, with minimum fee of ten (10) dollars.

(e) In the case of a subdivision located outside the Corporate Limits but within one mile thereof, the Preliminary Plan shall show, among other things, the proposed method of providing water, sanitary sewage disposal, and storm drainage facilities, either by acceptable connections to the Frederick City Facilities or otherwise. If connections to the City facilities are not to be made, then the subdivider shall present satisfactory evidence of approval, by the State Department of Health or its Approving Authority, of such other water and sanitation facilities as are proposed, and similar approval of the lots to be served thereby.

Sec. 5. *The final subdivision plat.*

(a) The final subdivision plat shall be clearly and legibly drawn in black India ink upon tracing cloth. The size of the sheets shall be 18" wide by 24" long including a margin of one-half inch outside ruled border lines. The drawing shall be upon a scale of not less than one inch to 100 feet.

(b) The final subdivision plat shall show:

(1) The street and alley lines, lots, building lines, reservations, easements and areas to be dedicated to public use.

(2) Sufficient data to readily determine the location, bearing and length of every street line, lot line, block line and boundary line and to reproduce same on the ground. Area of each lot must be shown. On lots containing curved lines show the length of arc, length of chord and bearing of the chord for each.

(3) The length of radii, arcs, tangents and chords with chord bearings and central angles of street curves referenced to a curve table. In computing curves the arc method shall be used rather than the chord method since the arc method gives the true length of the curve, is simpler and leads to no confusion when dealing with short radius curves. By the arc method is meant the angle at the center subtended by an arc of 100 feet to obtain the degree of curve. The relation $100:2\pi \times R = D^\circ:360^\circ$ is meant by the arc method for curves for which

R Radius) = 5729.58'

D (degree of curve)

(4) A properly executed dedication form, approval form and registered Land Surveyor's and/or Registered Professional Engineer's certificate, seal and address, in accordance with Forms on file in the office of the City Engineer.

(5) Lots numbered in numerical order. In tracts containing more than one block, the blocks shall be lettered in alphabetical order. In case there is a resubdivision of lots in any block, such subdivided lots shall be numbered numerically beginning with the number following the highest lot number in the block.

(6) Permanent reference monuments shown thus \diamond , shall be placed not less than two to each block nor not less than four to a subdivision containing two or less blocks. They shall be set in convenient places, preferably at corners of the subdivision, in such manner that from the position of one permanent reference monument the position of one other permanent reference monument will be visible. Such permanent reference monuments shall be made of hard durable stone or reinforced concrete, at least 36 inches in length and 6 inches square at its top which shall be its least dimension, with suitable center point and shall be set flush with the ground and to approved finish grade.

(7) The location of metal monuments $\frac{3}{4}$ inch in diameter and 18 inches in length shown thus: \bigcirc , and located in the ground at all intersections of streets, intersections of streets and alleys with plat boundary lines and at all points on street, alley and boundary lines where there is a change in direction or curvature and at all lot corners. All monuments shall be properly set in the ground and to approved finish grade before the final plat is approved when finished grading is accomplished.

(8) All bearings are to be referred to true meridian.

(9) Names and locations of adjoining subdivisions and location and ownership of unsubdivided property.

(10) Name of subdivision, which shall be subject to the approval of the Commission, location, north point and scale.

(11) All distances shown on the final subdivision plat shall be horizontal measurements and shall be shown to the nearest 0.01 foot. No distance on the plat shall be marked more or less except on lines which begin or terminate or bind on a marsh, stream or any body of water.

(c) The final subdivision plat shall show a meridian line drawn through one of the corners of the outline or perimeter of the whole tract and another line drawn at right angles to said meridian through the same point. The meridian so drawn shall be a true meridian. From the said meridian and right angle line all the courses and distances and co-ordinates shown on the plat shall be calculated. The co-ordinates shall be the distances of a point from each of the two lines drawn through the corner of the outline, as above directed, measured on lines parallel with said meridian and said right angle line North or South, East or West of said corner, and these distances shall be marked on the plat at the point where the co-ordinates are required. The plats shall show the co-ordinates for each corner of each avenue, road, street, alley, tangent point of all curved lines, permanent reference

monuments and at all corners of the outline or perimeter of the subdivision. If the subdivision adjoins another subdivision already established by co-ordinates and the permanent reference monuments can be found and used, such points so used and the co-ordinate values thereof shall be marked on the plat, then the meridian courses and distances and co-ordinates shall be shown on the plat in accordance with those of the already established co-ordinate system of the elder plat and shall be an extension thereof.

Sec. 6. *Dedication forms and surveyor's certificate.*

The following are forms for dedication and surveyor's certificate.

DEDICATION FOR INDIVIDUALS

We, _____ and _____,
his wife, owners of the property shown and described hereon, hereby
adopt this plan of subdivision, establish the minimum building restric-
tion lines, and dedicate the streets, alleys, walks and parks to public
use, however, excepting from this dedication any lands designated
"Two Foot Reservation," such lands to be deemed to be dedicated
automatically at such times as street extensions thereto are dedicated
in adjoining property.

The requirements of Chapter 1016, Acts of 1945, as far as it con-
cerns the making of this subdivision plat and setting of the monu-
ments, has been complied with.

There are no suits of action, leases, liens, or trusts on the property
included in this plan of subdivision, except the following:

And all the lienors and other parties in interest thereto have below
indicated their assent to this plan of subdivision.

Witnessed:

Date:

LS

LS

We assent to this plan of subdivision.

Witnessed:

Date:

LS

LS

(NOTE: Omit any wording which may not apply. In case the owner
is unmarried this fact should be stated.)

DEDICATION FOR CORPORATIONS

(Same as foregoing form for individual except as indicated below)

We, (insert name of corporation), a (name of state) corporation, by (insert name), President and (insert name), Secretary, owners of the property, etc., etc.

Date: _____

Name of Corporation

By _____

President

Attest: _____

Secretary

SURVEYOR'S CERTIFICATE

I hereby certify that the plan shown hereon is correct; that it is a subdivision of (part of or all of) the lands conveyed by (insert name of former owner) by deed dated _____, and recorded in the Land Records of Frederick County, State of Maryland, in Liber _____ at Folio _____; and that monuments marked thus: \diamond , and iron pipe marked thus: \bigcirc , have been placed as indicated to the approved finish grade.

Signature _____

Registered Land Surveyor

(SEAL)

Address: _____

Date: _____

Sec. 7. *Street profiles, grade establishment.*

(a) Wherever Street Profiles are required by the Commission in connection with the filing of a subdivision plat, a preliminary study of street grades shall be filed with the Commission when the preliminary subdivision plat for the same area is presented for approval. The Preliminary Street Profiles shall show existing center line and property line grades and proposed center line grade, grade per cent, location and length of vertical curves and elevations of street intersections. All elevations shall be based on U.S.G.S datum as used by the City.

(b) Upon tentative approval of the Preliminary Street Profiles, with or without amendment, the Final Street Profiles shall be prepared. The Final Street Profiles shall be drawn with India ink with the exception of the proposed center line grade and notations thereon which must be in pencil.

(c) In case the penciled grades are satisfactory to the Commission, the Street Profiles will be returned to the subdivider or his engineer to make any changes required and ink the pencil lines and notation.

(NOTE: The establishment of street grades is an important and inseparable part of every subdivision development project. It is most important that a study of grades, surface drainage and quantity and disposal of earth excavation be made at the time the subdivision design is being formulated. In case steep street grades, imperfect drainage or excessive excavation are shown by the street profiles it would indicate that a revision should be made of the street layout. The street grade should be established before the street is graded or paved, sidewalks built or water, sewer or gas mains laid. As the pavement elevation has an important bearing on floor grades and private drive entrances it is also important that the street be established in advance of any building construction).

The final street profile plans should conform as to size, form and information with specimen plans on display in the office of the City Engineer.

Sec. 8. *Special requirements.*

(a) Every plat for the resubdivision of any lot, tract, or parcel of land that is a part of an existing subdivision previously recorded in a plat book in the County Land Records, shall be subject to the requirements of this section, in addition to the other requirements of these Regulations.

(b) Lots covered by any such plat shall be substantially the same character as to suitability for residential use, area, street frontage, alignment to streets and restrictions, as other land within the existing subdivision, and particularly with reference to similarly situated lots in the vicinity.

Sec. 9. *Building Permits.*

No building permit shall be issued for the construction of a dwelling or other structure unless said structure is to be located on a lot or parcel of land having direct frontage on a dedicated public street.

Sec. 10 *Street improvement.*

No final grading, sidewalk or pavement construction or the installation of utilities shall be permitted in the bed of any proposed street in a subdivision until the street grade has been officially established and the plat of same approved by the Commission in final form and placed on record.

Sec. 11. *Restrictions and covenants.*

(a) No final subdivision plat shall be approved until a copy of all restrictions and covenants proposed for the land within the subdivision has been filed with the Commission and such restrictions and covenants have been found by it to be adequate for the protection of public health, safety, morals, and welfare, and the Commission has received adequate assurance that such restrictions and covenants, and no others, will be included in all sale contracts or deeds to the land within the subdivision.

(b) Restrictions and covenants should be so written that they may be amended to meet changed conditions after approval by a majority of the front foot ownership within the portion of the subdivision affected, subject to the approval of the Commission.

Sec. 12. *Recording Final Subdivision Plat.*

(a) Upon the approval by the Planning Commission of the final subdivision plat, and the affixing of necessary signatures, a print thereof shall be filed promptly for record with the clerk of the Frederick County Circuit Court, by the Secretary of the Planning Commission, who shall also distribute other prints as follows: 1 to the Supervisor of Assessments, 1 to the County Health Department, 1 or more to the Planning Commission and City Engineer's files, and 1 or more to the subdivider. The tracing or a duplicate thereof shall be retained by the Planning Commission.

APPROVAL BY MAYOR AND ALDERMEN

Approved by the Board of Aldermen at a regular meeting held February 15, 1965.

THE MAYOR AND ALDERMEN
OF FREDERICK
By E. PAUL MAGAHA, *Mayor*

TEXT AMENDMENT TO
SUBDIVISION REGULATIONS
OF FREDERICK CITY'S APPENDIX C

Add Subsection 3(b) (19) to Read:

Any subdivision application that applies to a tract of land already subject to an approved site plan, which plan provides for common access and usage, shall be accompanied by a written document to be recorded among the County Land Records that binds all present and future property owners from restricting common access or usage of any driveway, parking area, walkway, utility, recreation area or facility, open space or other space or structure so designated for such common access or use. This provision shall not apply where a revised site plan is approved that redesigns the separation of the aforementioned facilities and areas so as to ensure safe and adequate usage of such facilities and areas. Further, in those cases where in-place utilities are not planned to be relocated, a written agreement approved by the Mayor & Board shall clearly designate each property owners responsibilities for water and sewer billing distribution and utility maintenance and repair.